

Part 15

Campaign Financial Reporting by Labor Organizations

20A-11-1501 Definitions.

As used in this part:

- (1) "Labor organization" means a lawful organization of any kind that is composed, in whole or in part, of employees and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or other terms and conditions of employment.
- (2) "Labor organization" includes an employee association and union for employees of public and private sector employers.

Enacted by Chapter 389, 2010 General Session

20A-11-1502 Campaign financial reporting of contributions -- Filing requirements -- Statement contents.

- (1)
 - (a) Each labor organization that has made expenditures for political purposes or political issues expenditures on current or proposed ballot issues that total at least \$750 during a calendar year shall file a verified financial statement with the lieutenant governor's office:
 - (i) on January 10, reporting expenditures as of December 31 of the previous year;
 - (ii) seven days before the regular primary election date;
 - (iii) on September 30; and
 - (iv) seven days before the regular general election date.
 - (b) The labor organization shall report:
 - (i) a detailed listing of all expenditures made since the last statement; and
 - (ii) for a financial statement described in Subsections (1)(a)(ii) through (iv), all expenditures as of five days before the required filing date of the financial statement.
 - (c) The labor organization need not file a financial statement under this section if the labor organization:
 - (i) made no expenditures during the reporting period; or
 - (ii) reports its expenditures during the reporting period under another part of this chapter.
- (2) The financial statement shall include:
 - (a) the name and address of each reporting entity that received an expenditure or political issues expenditure of more than \$50 from the labor organization, and the amount of each expenditure or political issues expenditure;
 - (b) the total amount of expenditures disbursed by the labor organization; and
 - (c) a statement by the labor organization's treasurer or chief financial officer certifying the accuracy of the financial statement.

Amended by Chapter 204, 2015 General Session

20A-11-1503 Criminal penalties -- Fines.

- (1) Within 30 days after a deadline for the filing of a financial statement required by this part, the lieutenant governor shall review each filed financial statement to ensure that:
 - (a) each labor organization that is required to file a financial statement has filed one; and
 - (b) each financial statement contains the information required by this part.

- (2) If it appears that any labor organization has failed to file a financial statement, if it appears that a filed financial statement does not conform to the law, or if the lieutenant governor has received a written complaint alleging a violation of the law or the falsity of a financial statement, the lieutenant governor shall:
 - (a) impose a fine against the labor organization in accordance with Section 20A-11-1005; and
 - (b) within five days of discovery of a violation or receipt of a written complaint, notify the labor organization of the violation or written complaint and direct the labor organization to file a financial statement correcting the problem.
- (3)
 - (a) It is unlawful for any labor organization to fail to file or amend a financial statement within seven days after receiving notice from the lieutenant governor under this section.
 - (b) Each labor organization that violates Subsection (3)(a) is guilty of a class B misdemeanor.
 - (c) The lieutenant governor shall report all violations of Subsection (3)(a) to the attorney general.
 - (d) In addition to the criminal penalty described in Subsection (3)(b), the lieutenant governor shall impose a civil fine of \$1,000 against a labor organization that violates Subsection (3)(a).

Amended by Chapter 420, 2013 General Session